

*Opening*

the

**Bench**



**&**

**Bar**

to People with  
Disabilities



*Manual for Court Disability Coordinators*

**The Bench and Bar Committee**

Office of the Illinois Attorney General  
Lisa Madigan, Attorney General



State of Illinois  
Lisa Madigan  
Attorney General



Dear Court Disability Coordinators,

There are approximately two million people with disabilities in Illinois. People with disabilities are entitled, as a matter of law to fair and equal opportunities in all aspects of their daily lives, including the legal system. Most of them want to participate in the legal system — as jurors, witnesses, litigants, attorneys or judges.

In addition to participating in the legal system, they seek legal representation for other purposes such as buying a home, obtaining a divorce, drafting a will or planning for retirement. However, in some cases physical, attitudinal or informational barriers keep them from participating in the legal process or obtaining legal representation.

Court Disability Coordinators (CDCs) have been established in each Judicial Circuit to assist people with disabilities in the legal system. CDCs are appointed by the Chief Judge of their Circuit Court and have access to a vast array of resources, people and agencies that can assist in ensuring program accessibility for people with disabilities in a judicial setting. Training and technical assistance for CDCs are provided by the Illinois Attorney General's Office.

The following information is intended to assist you in opening the courthouse doors to people with disabilities.

Sincerely,

Lisa Madigan  
Illinois Attorney General

# Opening the Bench and Bar to People With Disabilities

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Members of the Bench and Bar Planning Committee



# Key State and Federal Statutes Governing Court Access for People with Disabilities

Four key statutes govern access for people with disabilities in Illinois courts: The Federal Americans with Disabilities Act, 42 U.S.C. §12101 *et seq.*; the Federal Rehabilitation Act of 1973, 29 U.S.C. §794; the Illinois Human Rights Act, 775 ILCS 5/1-103 *et seq.*; and the Illinois Environmental Barriers Act, 410 ILCS 25/1 *et seq.*

The Americans with Disabilities Act of 1990 (the ADA), the Rehabilitation Act of 1973 and the Illinois Human Rights Act provide broad protections for people with disabilities and govern access to programs, services, facilities and activities. They are briefly described in this section. The Illinois Environmental Barriers Act governs new construction of buildings as well as additions and alterations to facilities, including courts. It is described in more detail in Section V.

## ***Americans with Disabilities Act (ADA)***

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### ***What is the Americans with Disabilities Act?***

#### **Overview of the ADA**

The ADA is a federal civil rights law that protects individuals from discrimination based on their disability. The Act has five titles. Title I addresses public and private employment. Title II covers units of state and local government, including the courts. Title III addresses public accommodations such as retail shops, stadiums, hotels and commercial facilities. Title IV covers telecommunications for people who are deaf, hard of hearing or have a speech impairment. Title V contains “miscellaneous provisions” such as the relationship of the Act to other federal laws like the Rehabilitation Act of 1973. 29 U.S.C. §794.

#### **The Rehabilitation Act**

Title II of the ADA is based on the Rehabilitation Act of 1973 which prohibits discrimination by any entity receiving federal financial assistance, including the courts. The Rehabilitation Act will not be discussed in detail in this manual, because the ADA contains substantially similar provisions.

### ***Do courts have to comply with the Americans with Disabilities Act?***

#### **Definition of Public Entities**

Yes. All units of state and local government, including the courts, must comply with the Americans with Disabilities Act. Title II applies to all services, programs, and activities provided or made available by public entities. 28 C.F.R. §35.102. A public entity is defined as any unit of state or local government; or any department, agency, special purpose district, or the instrumentality of a state or local government. 28 C.F.R. §35.104.

### ***What actions are prohibited under Title II of the Americans with Disabilities Act?***

#### **Prohibited by the ADA**

Title II states that no qualified individual with a disability shall, by reason of such disability, be excluded from participation in or be denied the benefits of the services, programs, or activities of a public entity, or be subjected to discrimination by such entity. 42 U.S.C. §12132.



*What programs, services and activities of the courts must be made accessible?*

Under the provisions of Title II, a public entity shall operate each service, program, or activity so that the service, program, or activity, when viewed in its entirety, is readily accessible to and usable by individuals with disabilities. 28 C.F.R. §35.150(a). This requirement is generally referred to as program accessibility, which is distinctly separate from facility accessibility.

Program  
Accessibility

*Are there any exceptions or defenses to providing requested accommodations?*

Yes. A public entity is not required to take any action that it can demonstrate would result in a fundamental alteration in the nature of a service, program, or activity or can result in undue financial and administrative burdens. However, proving such a defense requires a public entity to meet a substantial threshold.

ADA Exemptions

The public entity has the burden of showing that compliance would result in an undue financial and administrative burden or would result in a fundamental alteration in the nature of a service, program, or activity. The decision not to take a certain action must be made by the head of the entity after considering all resources available and should be accompanied by a written statement of the reasons for reaching that conclusion. This statement could be subject to a challenge by anyone filing a complaint or lawsuit alleging a violation of the ADA.

Undue Financial  
and Administrative  
Burden

If the public entity satisfies its burden of showing that an action would result in a fundamental alteration or undue burden, the public entity shall take any other action that would not result in such an alteration or such burdens, but would nevertheless ensure that individuals with disabilities receive the benefits or services provided by the public entity. 28 C.F.R. §35.150(a)(3).



## Alternate Methods For Providing Accessibility

### *Does every court facility have to be accessible?*

No. Not every facility has to be accessible, if the service, program or activity can be made accessible in another manner, unless the facility was constructed after May 1988.

*Example:* If proceedings are generally conducted in rooms on the second floor of an older courthouse that does not have an elevator, the proceedings could be moved to an accessible room on the first floor. If the first floor is not accessible, the court can move the proceeding to another community facility that is accessible.

The specific judicial system will be viewed in its entirety when determining accessibility. Therefore, if the court system in a particular jurisdiction contains numerous facilities and a specific proceeding can be moved, within reason, from an inaccessible facility to an accessible facility and is moved, the specific judicial system would be deemed to be in compliance with the Americans with Disabilities Act.

### *Who enforces Title II of the Americans with Disabilities Act?*

## ADA Enforcement

Title II of the ADA and the Rehabilitation Act are enforced by individual suits filed in the federal district courts and by the United States Department of Justice. In suits by individuals, injunctive relief, damages, attorneys' fees and costs may be recovered.

For U. S. Department of Justice enforcement, individuals may file complaints within 180 days of the alleged discrimination. 28 C.F.R. §35.170(a) & (b). The Department of Justice will investigate each complete complaint, attempt informal resolution and if resolution is not achieved, issue a Letter of Findings to the complainant and the public entity. 28 C.F.R. §35.172.

If the Department of Justice finds noncompliance, it will attempt to enter into a voluntary compliance agreement. The Department of Justice may initiate litigation if an agreement is not reached. The complainant may file a private action at any time, regardless of whether the Department of Justice finds a violation. 28 C.F.R. §35.176.

The State shall not be immune under the eleventh amendment from an action in Federal or State court for a violation of this Act (including remedies both in law and in equity). 28 C.F.R. §35.178. For more information, see the section on Tennessee v. Lane in Chapter 6.

State Immunity

## The Illinois Human Rights Act

### *What actions are prohibited under the Illinois Human Rights Act?*

A public official cannot deny or refuse to any person the full and equal enjoyment of the accommodations, advantages, facilities or privileges of the official's office or services or any property under the official's care because of unlawful discrimination based on that person's disability. 775 ILCS 5/5-102.

Prohibited Actions

### *Who are considered public officials under the Illinois Human Rights Act?*

The Illinois Human Rights Act defines a public official as any officer or employee of the state, its agencies, political subdivisions, municipal corporations, park districts, forest preserve districts, school or educational institutions. 775 ILCS 5/5-101(C). This would include court administrators and judges acting in an administrative capacity.

Public Official Defined

Judicial immunity would shield a judge from any liability for action taken in a judicial capacity.

Judicial Immunity

### *Who may file a complaint under the Illinois Human Rights Act?*

An aggrieved individual or the Department of Human Rights itself, under the signature of the Director, may file a charge in writing under oath or affirmation with the Illinois Department of Human Rights (IDHR). The complaint must be filed within 180 days of the alleged violation. 775 ILCS 5/7A-102. The complainant may also call the Illinois Attorney General's Office.

Filing a Complaint

## Enforcement Responsibility

### *Who enforces the Illinois Human Rights Act?*

The IDHR has the power to issue, receive, investigate, conciliate, settle and dismiss charges filed pursuant to the Illinois Human Rights Act. The IDHR will conduct a full investigation of the allegations set forth in the charge and attempt informal resolution. If resolution is not achieved, the IDHR or the aggrieved individual may prepare a written complaint and file it with the Illinois Human Rights Commission (IHRC).

The complainant may file a complaint with the IHRC at any time; however, the complainant must also file a copy of the complaint with the IDHR at which time the IDHR's processing of the investigation will cease. 775 ILCS 5/7A-102. The IHRC, through its appointed hearing officers, will conduct evidentiary proceedings on the complaints received. The IHRC shall review recommended findings of the hearing officer. 775 ILCS 5/8-102.

Additionally, the Illinois Attorney General may conduct an investigation whenever she has reasonable cause to believe that any person or group of persons are engaged in a pattern and practice of discrimination prohibited by the Illinois Human Rights Act. If the issue is not resolved during the course of the investigation, the Attorney General may commence a civil action in State court that may result in the imposition of fines and penalties. 775 ILCS 5/10-104.

### *What are the penalties for violations of the Illinois Human Rights Act?*

## Penalties For Violations

Penalties include the assessment of actual damages, issuance of a cease and desist order, fees, costs and/or the entry of compliance agreements. 775 ILCS 5/8A-104. In an action filed by the Illinois Attorney General, fines and penalties can be assessed.

## **The Illinois Environmental Barriers Act (EBA)**

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### *What facilities are covered by the Illinois Environmental Barriers Act?*

The Illinois Environmental Barriers Act (EBA) covers all facilities, additions to existing facilities, and any facilities that are altered, regardless of the cost of the alteration, after May 1988. The EBA is described in greater detail in Section V of this manual.



# Determining Who is a Qualified Person With a Disability

The Americans With Disabilities Act (ADA) 42 U.S.C. §12102, 28 C.F.R. §35.104, defines a person with a disability in three ways:

- A person with a physical or mental impairment that substantially limits one or more major life activities — including caring for oneself, performing manual tasks, walking, seeing, hearing, speaking, breathing, learning and working.

*Example: A person who is substantially limited in the life functions of seeing or hearing.*

- A person with a record of such impairment — one who has a history of, or has been misclassified as having a mental or physical impairment that substantially limits one or more major life activity. *Example: A person who has been treated for cancer and is in remission or an individual who is believed to have a mental illness or cognitive disability, but does not.*

Americans with  
Disabilities Act

Definitions of  
Disabilities

## Illinois Human Rights Act

## Temporary Impairments

- A person who is regarded as having such an impairment. This category includes:

(1) individuals who have a physical or mental impairment that does not substantially limit a major life activity but who are regarded by a public entity as having such limitation;

(2) Those who have a physical or mental impairment that substantially limits a major life activity, only as a result of the attitudes of others toward such impairment. *Example: A person who is scarred as a result of severe burns, may be substantially limited in a major life activity, due only to the attitudes of others; or*

(3) Those who have no physical or mental impairment but are regarded by a public entity as having such an impairment. *Example: A child is excluded from a city-sponsored soccer team because the coach believes a rumor that the youth is infected with the HIV virus.*

The Illinois Human Rights Act uses the term handicap. It is defined as: A determinable physical or mental characteristic of a person, including, but not limited to, a determinable physical characteristic which necessitates the person's use of a guide, hearing or support dog, the history of such characteristics, or the perception of such characteristics by the person complained against, which may result from disease, injury, congenital condition of birth or functional disorder and which characteristic . . . is unrelated to a person's ability to use and benefit from a place of public accommodation. 775 ILCS 5/1-

103(l)(4)

People with temporary impairments generally are not considered to have a disability. *Example: A person who is pregnant or has a broken leg is not generally considered to be an individual with a disability.*

In addition, the term disability as defined in the Americans with Disabilities Act, does not cover transvestism, transsexualism, pedophilia, exhibitionism, voyeurism, gender identity disorders not resulting from physical impairments, or other sexual behavior disorders. Nor does it cover compulsive gambling, kleptomania, pyromania or psychoactive substance use disorders resulting from current illegal use of drugs. 28 C.F.R. §35.104.

***Are all persons with disabilities protected by Title II of the ADA?***

No. Only qualified individuals with disabilities are protected under Title II of the ADA. An individual is qualified if he or she meets the essential eligibility requirements for the receipt of services or the participation in programs or activities provided by the public entity — with or without reasonable modifications to rules, policies, or practices, the removal of architectural, communication, or transportation barriers, or the provision of auxiliary aids and services. 28 C.F.R. §35.104. *Example: A 17 year old who is deaf is disabled, but is not “qualified” for jury duty because of her age. Therefore, she cannot avail herself of the protection of Title II to serve on a jury.*

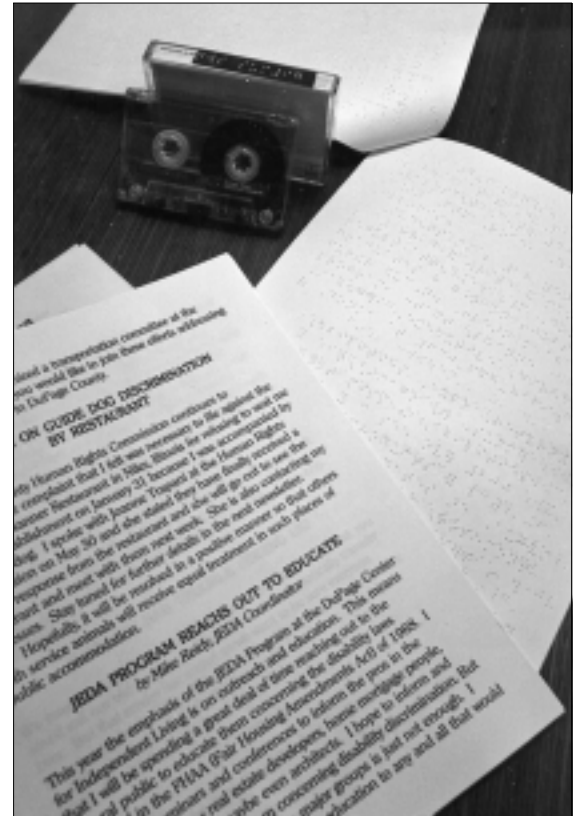
Qualified Individual



# Ensuring Program Accessibility

## *What Is Program Accessibility?*

Program accessibility is achieved when the court's programs, services, or activities are accessible to and usable by qualified individuals with disabilities. As stated in Article 5 of the Illinois Human Rights Act and Title II of the ADA, state court officials are required to ensure that people with disabilities may participate in the services, programs and facilities of the judicial system. 28 CFR §35.149. Examples of ways to ensure program accessibility include:



***Reasonable Modifications*** — State and local courts must modify their policies, practices and procedures to eliminate unequal treatment of people with disabilities, *unless* modification would fundamentally alter the nature of its services, programs or activities or result in an undue financial or administrative burden. 28 C.F.R. §35.130(b)(7). Modifications of policies may include allowing a juror who is unable to sit for extended periods of time, to stand in the back of the jury box, even though courtroom protocol demands that jurors must remain seated during proceedings.

***Auxiliary Aids and Services*** — State and local courts must ensure that communications with participants in and observers of a judicial proceeding are as effective for people with disabilities as they are for others. 28 C.F.R. §35.160(a). To achieve this, courts must make available appropriate auxiliary aids and services when necessary. 28 C.F.R. §35.160(b)(1).

Reasonable  
Modifications

Auxiliary Aids and  
Services

Examples of auxiliary aids for those who are deaf or hard of hearing or for those with speech impairments include but are not limited to: qualified interpreters (manual or oral); assistive listening devices; note takers; written materials; telephone handset amplifiers; telephones compatible with hearing aids; real-time captioning services; television decoders; and teletypewriters and teleprinters (TTYs).

28 C.F.R. §35.104.

Examples of auxiliary aids for those who are blind or have visual impairments include, but are not limited to: qualified readers; taped texts; audio recordings; braille or large-print materials. 28 C.F.R. §35.104.

Illinois state law also protects individuals who are entitled to auxiliary aids and services. The Interpreters for the Deaf Act, 225 ILCS 442/1 *et seq.* states that no one shall hold oneself out to be an interpreter without one of the following: (1) a certificate issued by the Registry of Interpreters for the Deaf; (2) a satisfactory evaluation by the National Association of the Deaf; (3) a satisfactory Interpreter Skills Assessment Screening (ISAS) evaluation; or (4) licensure or certification or a satisfactory evaluation or screening in another state.

In addition, the Illinois Code of Civil Procedure, 735 ILCS 5/1-101 *et seq.*, and the Illinois Code of Criminal Procedure, 725 ILCS 5/100-1 *et seq.* require the court to provide individuals with auxiliary aids and services.

**Physical Accessibility**— All existing court facilities or portions thereof constructed or built subsequent to May 1988, must meet the minimum accessibility requirements of the Illinois Environmental Barriers Act (EBA), 410 ILCS 25/1 *et seq.*, The Illinois Accessibility Code (IAC), 71 Ill. Adm. Code 400.110 *et seq.*, and the Americans with Disabilities Act Accessibility Guidelines (ADAAGs) (1991), 28 C.F.R. Appendix A to Part 36.

Extensive retrofitting of existing court facilities is not required if court hearings, services and programs can be made accessible in other ways. Courts must take actions

to enable individuals with disabilities, including court observers, to participate in the most integrated setting unless doing so would cause a fundamental alteration of the program or an undue financial and administrative burden. 28 C.F.R. §35.150. Criteria for determining undue financial and administrative burdens are described in Section I.

*Who is entitled to program accessibility?*

A qualified individual with a disability is entitled to program accessibility through either a reasonable modification, auxiliary aids and services and/or physical access. The definition of a qualified individual is provided in Section II (see qualified individual) and includes participants, lawyers and observers.

Entitled Persons

*Who should request the reasonable modification, auxiliary aids and services, and/or physical access?*

The person with a disability, or his or her representative, should request the modification, auxiliary aid and service or physical access.

Requesting  
Program  
Accessibility

*Must the court notify individuals with disabilities about their right to program accessibility?*

Yes. The ADA requires that persons with disabilities receive notice of the protections the statute affords them. Public entities must “ensure that interested persons . . . can obtain information as to the existence and location of accessible services, activities and facilities.” 28 C.F.R. §35.163.

Notification of  
Rights

*Is the court required to ensure program accessibility to a person with a disability who is not a party to the proceeding?*

Yes. The court is required to accommodate all persons with disabilities who have an interest in the proceeding, such as a party to the proceeding, a potential or selected juror, a witness, an attorney, a guardian of a minor, a spectator, or other interested person with a disability. 42 U.S.C. 12132.

Accommodating  
Interested Parties  
  
Spectators

A Settlement Agreement between the U.S. Department of Justice and the City of Fulton, Missouri, provided that the City of Fulton shall provide all participants who are deaf or hard of hearing — including spectators — with appropriate auxiliary aids and services as a method to achieve program accessibility.

#### Interpreters In Civil Proceedings

The Illinois Code of Civil Procedure requires the court to appoint a qualified sign language interpreter for a party, juror or witness who is deaf or hard of hearing to interpret the proceedings and the testimony of such person. 735 ILCS 5/8-1402. The use of friends or family may not be used, even if they sign.

#### Interpreters In Criminal Court

In addition, the Illinois Code of Criminal Procedure requires the court to provide a defendant in a felony or misdemeanor case who is deaf or hard of hearing with a sign language interpreter or other means of effective communication in compliance with the Americans with Disabilities Act (ADA). 725 ILCS 140/1.

#### *Who decides the form or method of program accessibility?*

#### Deciding Form of Program Accessibility

The regulations require public entities to allow persons with disabilities the opportunity to request the auxiliary aids and services of their choice and require public entities to give “primary consideration” to the preferences expressed.

28 C.F.R. §25.160(b)(2).

For example, a person who became deaf later in life may not know sign language. Therefore, a real-time captioning service may be more appropriate than a sign-language interpreter.

#### *Does the court have to provide an individual with a disability personal devices or personal care assistance?*

#### Personal Devices and Personal Care Assistance

No. The ADA does not require the court to provide personal devices such as wheelchairs or personally prescribed devices such as hearing aids or eye glasses. Further, the Act does not require the court to provide services of a personal nature such as assistance in eating, toileting or dressing. 28 C.F.R. §35.135.

*If program accessibility in the form of a reasonable modification, auxiliary aids and services, and/or physical access is needed, who must pay for it?*

The ADA prohibits a public entity from placing a surcharge on services to a particular individual with a disability or any group of individuals with disabilities to cover the costs of accommodations required to ensure that the individual or group receive the nondiscriminatory treatment required by the Act. 28 C.F.R. §35.130(f). The Illinois Code of Civil Procedure requires sign-language interpreter's fees to be paid out of general county funds. 735 ILCS 5/8-1402.

Cost of Program Accessibility



## Interacting With People With Disabilities

The proper terminology is *a person with a disability*. It puts the emphasis on the person, not the disability. For example, a person is not *an epileptic*, but rather *a person who has epilepsy*. The term *handicapped* originated from a “beggar with cap in hand.” Because of its negative connotation, it is rejected by the disability community. Other examples of inappropriate and appropriate terms are:

Appropriate  
Terms

### Inappropriate term

wheelchair-bound  
crippled  
dwarf  
hearing impairment

### Appropriate term

wheelchair user  
physically disabled  
small/short stature  
deaf or hard of hearing

Although great emphasis is placed on the terms used to refer to people with disabilities, people can relax and use common, everyday expressions when talking to people with disabilities. Saying “See you later” to a person with a visual impairment or “Walk over to the clerk’s office” to a wheelchair user is not offensive. The phrases are recognized as part of everyday language, and avoiding them would stress the disability.

## Etiquette

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### Offers of Assistance

People with disabilities are no different than other people in their need for courtesy, independence and control. Disability etiquette involves courtesy and common sense. Always talk directly to people with disabilities. For example, if a person is deaf, talk to him or her, not the sign language interpreter.

Ask a person with a disability if assistance is desired — then wait for a reply or look for nonverbal indications of what is wanted. This will eliminate concerns about whether to help or how to help, and it allows the person with a disability to be in control of the situation. Generally, people with disabilities who need assistance will ask for it.

### Greeting People with Disabilities

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Your first encounter with a person with a disability — the greeting — may be awkward if you do not know what to do. The following tips may help you. A person with a disability may prefer a different approach and will tell you. Always be flexible and respect the individual's wishes.

**Greeting a person who is blind or who has a visual impairment.** If you have not been introduced, state your name when you say “Hello.” Generally, wait for the person with a visual impairment to extend a hand, then shake it. Some people recommend a touch to the arm at the elbow with the left hand to make the person aware that a handshake is planned, and then take the right hand to shake it. But always verbalize any action that involves physical contact. Do not touch a person with a visual impairment without first asking or informing him or her — an unsolicited touch is rude and unsettling. If asked to “lead” a person with a visual impairment, do so by the elbow. Do not hold the hand.

**Greeting a person who has no hands or has a prosthesis.** Wait for the person to extend the prosthesis and then shake it. It is acceptable to shake a left hand if the person has no right hand. Someone who just received a prosthesis may not want to shake hands and you should respect that. If a handshake is inappropriate; instead greet the person with your smile and eye-to-eye contact.

**Greeting a person who is deaf or hard of hearing.** To get the person's attention, it is appropriate to tap the person on the shoulder or to wave your hand to make visual contact.



**Greeting a person using a wheelchair.** Although conversation should be at eye level, you can remain standing for a greeting. When conversation is planned, take a nearby chair and sit down. If there is no chair in the immediate vicinity, say, “I’d like to sit down and talk with you. Let’s find a chair.”

### ***Tips on interacting with people with disabilities***

There are a few basic guidelines that will help when interacting with people with disabilities. In general, adjust to the needs of the person and follow the person’s lead.

***People who have physical disabilities.*** A person using a wheelchair does not normally require help to enter or leave a room, but may need directions to locate accessible features like wheelchair ramps, telephones and accessible restrooms. Lend minimal assistance and ask if more is needed. It is important not to be overly intrusive.

Do not touch or lean on a person’s wheelchair without permission — it is his or her personal space and should be respected as such. Also avoid touching their head or shoulders.

***People who are deaf or who are hard of hearing.*** Determine the most effective way to communicate; e.g., lipreading or sign language interpreter.

***Lipreading (speech reading):*** Face the person and speak slowly and distinctly. Do not over-enunciate words. Gesture as needed. Do not cover your face with your hands or any object. The vast majority of people who are deaf or hard of hearing do not read lips. For those who do, it is estimated that only 30 percent of the spoken word can be understood.

***Sign Language Interpreter:*** During conversation, maintain eye contact with the person who is deaf or hard of hearing rather than the interpreter. The interpreter should sit next to you so that the person with a disability can gaze back and forth from the interpreter to you easily. In addition:

- Good lighting is necessary because visual cues and gestures are important.

Personal Space

Lip Reading

Interpreter Etiquette

## Speech Impairment

- Make sure the person who is deaf or hard of hearing feels comfortable asking for something to be repeated if he or she does not understand.
- Be patient, communication may take a little longer.

***People who have a speech impairment.*** Relax while listening, and you will adjust more quickly to the sound and pattern of the person's speech. Also:

- If you cannot understand, ask for the statement to be repeated. Do not guess, ask if you do not understand. You may lose valuable information if you do not follow up on statements or answers that are confusing or do not make sense to you.
- Avoid interrupting — wait for sentences to be completed.
- If the speech impairment is significant, it may be necessary to write notes, have a person spell out a word, or use another mode to communicate.

## Visual Impairment

***People who are blind or who have a visual impairment.*** Face the person who is blind or who has a visual impairment when talking. If your eyes are directed toward the person, your voice will be as well. If you do not face the person, your voice will come from a different direction and may confuse the person. In addition:

- Offer to assist, and if the person asks to be led, allow the person to hold your elbow as you walk, not your hand. Verbally describe the area as you proceed.
- If you are asked for directions, make the response explicit. For example, say the room is "the third door on the left" rather than "down the hall."
- Do not stop talking when a person who is blind or who has a visual impairment is approaching; the person relies on the sound of your voice for direction.
- When a person with a visual impairment enters your office, it may be helpful to extend your arm to guide the

person to a chair (verbalize what you are doing). Introduce each person in the room by name and indicate where he or she is sitting in the room relative to where the person who is blind or who has a visual impairment is seated.

- Tell the person anything he or she should know but cannot see. Talk about the placement of furniture and equipment in the room, if necessary. Hazardous items should be described. Explain what is happening in the room. Descriptions and explanations should be specific.
- If a person has a guide dog or service animal, respect the fact that the dog is a working animal. Do not touch or talk to the animal when it is working (when its harness is on) without the permission of its owner.

***People who have cognitive disabilities.*** Use concrete terms and avoid abstract instructions. If you give instructions:

- Complete one step of instructions before giving instructions on the next step.
- Demonstrate how things should be done. Explain what you are doing as you do it.
- Give extra time to complete a task.

Service Animals

Cognitive  
Disabilities



# Physical Access to Courthouses

*What statutes and orders govern physical access to the courts?*

The EBA and IAC dictate the minimum requirements for accessibility to public and private facilities located in Illinois. The Illinois Supreme Court entered an Administrative Order on courtroom facilities, in accordance with the terms of 55 ILCS 5/5-1106 (1992), recommending minimum standards for accessibility to circuit courtrooms for people with disabilities. Referenced in the Administrative Order is the *Illinois Environmental Barriers Act (EBA)*, 410 ILCS 25/1 *et seq.*, and its implementing regulations, the *Illinois Accessibility Code (IAC)*, 71 Ill. Adm. Code 400.110 *et seq.* The EBA and IAC dictate the minimum requirements for accessibility to public and private facilities located in Illinois. In addition, Title II of the *Americans with Disabilities Act (ADA)*, 42 U.S.C. 12101 *et seq.*, generally addresses discrimination in state and local government services, programs and activities and specifically addresses physical access to state courts. Title II became effective January 1992.

State/Federal  
Laws and  
Regulations

The United States Department of Justice has published an Interim Final Rule that deals with courthouse accessibility. The Final Rule was published in the Code of Federal Regulations on January 13, 1998. The U.S. Department of Justice announced informal approval in July 2004. Formal approval is expected by 2006. It is recommended that these guidelines be followed even though they are not yet enforceable.

### *What is the Environmental Barriers Act?*

The *Environmental Barriers Act (EBA)*, enacted in 1985 and amended in 1996, is the Illinois statute that governs physical access for people with disabilities in new construction, additions, and alterations to facilities. It provides for the adoption and publication of accessibility standards. These standards are contained in the *Illinois Accessibility Code (IAC)*.

### *Who enforces the Environmental Barriers Act?*

Illinois Attorney General Lisa Madigan enforces the EBA and its regulations in the IAC. The most frequent complaints received by the office include the failure to install or properly mark accessible parking spaces, inaccessible entrances and restrooms.

### *Are facilities built prior to the EBA bound by any accessibility standards?*

Yes, facilities that were constructed after 1968 are covered under the *Facilities for the Handicapped Act*, the predecessor to the EBA. However, buildings built prior to that date, were not governed by any state accessibility standards. Alterations to buildings made after 1988 are governed by the EBA and IAC.

### *What are the penalties for violations of the Environmental Barriers Act?*

The Office of the Attorney General may bring an action for mandamus, injunction to halt the alteration or construction of

EBA Accessibility  
Standards

Penalties for EBA  
Violations

any public facility or multistory housing unit built in violation of the EBA, or other appropriate relief. The owner of a facility built in violation of the EBA can be found guilty of a business offense punishable by a fine not to exceed \$250 per day, where each day in violation constitutes a separate offense. An architect or engineer could be subject to a license suspension, revocation or refusal of restoration of such license. A building code official can be found guilty of a business offense punishable by a fine not to exceed \$1,000 per offense.

*If an existing facility used by the courts is not accessible must it be made accessible?*

Extensive retrofitting to older facilities is not required if the activities, services and programs of the court, when viewed in their entirety, are accessible or if making the courthouse accessible would result in a fundamental alteration in the nature of the service, program, activity or result in undue financial and administrative burdens.

Therefore, in a building that has not been constructed or altered after May 1988, a physical barrier such as stairs, need not be removed if the removal would result in an undue financial burden, as long as the services, programs, or activity served by the stairs are made accessible through other means. Such access might be achieved by relocating a service to an accessible facility; e.g., moving a public information office from the third floor to the first floor of a building or providing benefits or services at an alternative accessible site.

*Do historic buildings have to be made accessible?*

A public entity is not required to take any action that would threaten or destroy the historic significance of a historic property. However, the entity must still make its programs, services and activities available to, and usable by, people with disabilities. The Illinois Historic Preservation Agency can assist public entities in determining whether a property is

Undue Financial  
and Administrative  
Burden

Alternate Methods  
of Providing  
Accessibility

Historic Buildings

historic and can offer access alternatives that will not destroy the significance of the property. The EBA does have provisions for access to historic buildings.

*Where can court and county personnel get information regarding assistive technology that is appropriate for a courtroom?*

Sources for information regarding assistive technology are listed in Appendix “A.”

*Where can a person find assistance in conducting an accessibility inspection?*

Assistance in conducting an accessibility inspection may be obtained by contacting a Center for Independent Living or a qualified design professional such as an architect. See Appendix “A” for addresses and telephone numbers.

## **Accessibility Resources**

There are resources available to provide guidance with the removal of architectural and communication barriers in order to improve access to courthouses for persons with disabilities. The *Illinois Accessibility Code*, (71 Ill. Adm. Code 400 *et seq.*) and the Administrative Order on Courtroom Facilities entered by the Illinois Supreme Court on January 11, 1993, (Sup. Ct. Order M.R. 8765), provide detailed information on the minimum accessibility requirements that courthouses should provide. A copy of the *Illinois Accessibility Code* is available from the Office of the Illinois Attorney General or can be downloaded from the Illinois Capitol Development Board at [www.cdb.state.il.us](http://www.cdb.state.il.us). Supreme Court Order M.R. 8765, can be found in Appendix C. Additional technical assistance in determining the barriers that may exist in your courthouse can be provided by your local Center for Independent Living, (Appendix A) or the Illinois Attorney General.





# Selected Cases and Settlements

## Can the State of Illinois be Held Liable for Discrimination in Cases Involving Access to the Courts?

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**Tennessee v. Lane**, 124 S.Ct. 1978 (2004)

Yes. In *Tennessee v. Lane*, the Supreme Court held that states are subject to lawsuits filed in federal court for money damages under the ADA in cases involving access to the courts. The question before the Supreme Court was whether Congress acted properly when it enacted the ADA and made states liable for discrimination against people with disabilities in the provision of government services. The Supreme Court has decided that the ADA does apply to the states when people with disabilities seek to enforce their rights to gain access to the courts.

The plaintiffs in the case, two Tennessee residents with paraplegia, were denied access to judicial proceedings because those proceedings were held in courtrooms on the second floors of buildings lacking elevators. One of the plaintiffs, George Lane, was unable to attend a criminal

proceeding being held in an inaccessible second-floor courtroom; the state arrested him for failure to appear when he refused to crawl or be carried up the steps. Another of the plaintiffs, Beverly Jones, sought access to the courtroom to perform her work as a court reporter. Lane and Jones filed suit under Title II of the ADA to challenge the state's failure to hold proceedings in accessible courthouses. In response to the ADA suit, the State of Tennessee argued that it was immune from suits under Title II of the ADA.

In its decision, the Supreme Court ruled that when the ADA was passed, Congress identified an extensive history of discrimination by states in the provision of its programs and services for people with disabilities. The Court went on to hold that the remedies set forth by Congress in the ADA were appropriate to address the objective of enforcing access to the courts for people with disabilities.

### ***Can a Person Who is Blind Be Barred From Serving on a Jury?***

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#### ***Galloway v. Superior Court of the District of Columbia*, 816 F. Supp. 12 (D.C. 1993)**

No. Plaintiff Donald Galloway was barred from serving as a juror in the D.C. Superior Court because he is blind. The policy of excluding persons was based on a state statute stating that “an individual shall not be qualified to serve as a juror if determined to be incapable by reason of physical or mental infirmity of rendering satisfactory jury service.”

The reviewing court found that the policy of categorically excluding blind persons was a violation of the Rehabilitation Act of 1973 and the Americans with Disabilities Act. The opinion recognized that a person who is blind may be excluded from a particular case if it involves a significant amount of visual evidence, but the decision as to whether the individual should be excluded from serving should be left to the judge, the attorney and the *voir dire* process. Further, the court recognized the tendency of public officials to overgeneralize concerning individuals with disabilities and qualifications.

## ***Can a Person Who is Deaf Be Barred From Serving on a Jury?***

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***DeLong v. Brumbaugh*, 703 F. Supp. 399 (W.D. Pa. 1989)**

No. A Pennsylvania trial court excluded a juror simply because she was deaf. Upon review, the appellate court found the juror should not have been disqualified from jury service under the applicable Pennsylvania statutes because she could communicate through a sign language interpreter and render efficient jury service. The trial court had not given her an opportunity to prove her communication abilities.

The Appellate Court also held that under §504 of the Rehabilitation Act such an unreasonable exclusion was discriminatory and further held that the cost of providing the juror with an interpreter would not have placed an undue burden on the trial court.

## ***Are Historical Courthouses Exempt From Program Accessibility Requirements?***

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***Matthews v. Jefferson*, 29 F. Supp.2d 525 (W.D. Ark. 1998)**

No. The plaintiff, an individual with paraplegia, filed suit against the county for failing to make the courthouse, which is listed in the National Registry of Historic Buildings, accessible. The courtrooms were on the second floor, but the courthouse did not have an elevator, ramps or other device to provide vertical access. The plaintiff had to be carried up and down the stairs to attend hearings. During the course of one ten hour hearing, the plaintiff was unable to empty his external catheter because the bathrooms were inaccessible. He was also unable to leave the courthouse to get a meal during the noon recess.

The Court in this case found that the county had violated the Americans with Disabilities Act and the Rehabilitation Act by failing to provide access to the justice system to people with disabilities.

## ***Are the Courts Required to Give Primary Consideration to the Auxiliary Aids and Services Requested by the Individual with a Disability?***

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***Devall v. County of Kitsap, 260 F.3d 1124 (9th Cir. 2001)***

Yes. The plaintiff, an individual who is hard of hearing, filed suit against the county for failing to provide real time transcription services during his marriage dissolution proceedings. The plaintiff does not know sign language and can not use an assisted listening device because it interferes with his hearing aids. The court allowed him to sit in the jury box in order to hear the proceedings. However, he could not understand what was occurring when he looked away from the witness stand to take notes and he could not talk to his attorney from where he was seated. He also began experiencing headaches from straining to hear and trying to read lips.

The Court found that the county had violated the Americans with Disabilities Act and the Rehabilitation Act for failing to provide the auxiliary aid and service requested by the plaintiff. The Court notes that primary consideration must be given to the request of the individual.

## **Accessibility-Related Settlements Reached by the U.S. Department of Justice**

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**The United States of America v. The Commonwealth of Massachusetts, Docket Number 03-CV-10246 (D. Mass. 2003)**

This matter was initiated by two attorneys with disabilities who filed a complaint under Title II of the Americans with Disabilities Act, alleging that numerous courthouses and other legal offices owned by the State of Massachusetts are inaccessible to individuals with disabilities. Under the agreement the State was required to make procedural modifications and structural changes to the facilities to make them accessible.

**The United States of America and The City of Houston, Texas, (D.O.J. Complaint # 204-74-102, March 2000)**

In the settlement of a case between the United States of America and the City of Houston, the city was required to ensure that individuals who are deaf or hard of hearing are provided with auxiliary aids and services, giving primary consideration to the requests of the individual. The City agreed to defer to the request of the individual unless the request results in a fundamental alteration or an undue burden. In those cases, the City is not required to take any action that would result in such a burden, but must still ensure that, to the fullest extent possible, individuals with disabilities receive the benefits or services provided by the City.

The City also agreed to post a notice in conspicuous locations advising individuals that auxiliary aids are available and listing the name, address and phone number of the court's ADA coordinator. Official notices of court dates must contain notice of the availability of auxiliary aids, and provide the number of the TTY phone line.

**The United States of America and Scott County, Arkansas, (D.O.J. Complaint # 204-10-6, June 1996)**

In the settlement of a case between the United States of America and Scott County, Arkansas, the Department of Justice ordered Scott County to make its facilities accessible to people with disabilities. The matter was initiated by a complaint filed under Title II of the Americans with Disabilities Act. Due to architectural barriers, the services, programs, and activities provided by the county in the courthouse were not readily accessible to and usable by persons with mobility impairments. The settlement required the county to build new facilities that would allow equal participation for everyone.

**The United States of America and the City of Fulton, Missouri, (D.O.J. Complaint # 204-43-12, May 1994)**

This matter was initiated by a complaint filed under Title II of the Americans with Disabilities Act with the United States Department of Justice, Civil Rights Division, Coordination and Review Section, against the City of Fulton, Missouri.

The complaint alleged the city does not ensure that communications with people who are deaf or hard of hearing are as effective as communications with others in its Municipal Court proceedings.

The settlement established that it is unacceptable to deny a person with a disability the benefits of and participation in the court's programs on the grounds that auxiliary aids are not available. The settlement ordered the City of Fulton to provide appropriate auxiliary aids to participants and spectators in the court proceedings.

***The United States of America and the Santa Clara County Superior Court, (D.O.J. Complaint # 204-11-90, October 1996)***

The settlement resolved a complaint filed under Title II of the Americans with Disabilities Act. The complaint claimed the court's policies and procedures for providing assistive listening systems and other auxiliary aids and services did not ensure effective communication for individuals who are deaf or hard of hearing, thereby limiting their ability to participate in the court's services.

Primary  
Consideration

The settlement ordered Santa Clara County to alter its policies to give primary consideration to the aid that the person with a disability prefers. Primary consideration means that the court will honor the person's choice unless it can be shown that another equally effective means of communication is available, or that the use of the means chosen would result in a fundamental alteration in the nature of the program, service or activity, or in an undue financial and administrative burden.

# Access to the Courts by Individuals who use Service Animals

Several state and federal laws protect individuals who use service animals, including the Americans with Disabilities Act, the Illinois Guide Dog Access Act and the Illinois White Cane Law.

*What is the definition of service animal under the Americans with Disabilities Act?*

The Americans with Disabilities Act defines a service animal as any guide dog, signal dog, or other animal individually trained to provide assistance to a person with a disability. If they meet this definition, animals are considered service animals under the ADA regardless of whether they have been licensed or certified by a state or local government.

*What type of assistance do service animals provide?*

Service animals perform some of the functions and tasks that the individual with a disability cannot perform for himself or herself. "Seeing eye dogs" are one type of service animal, used by some individuals who are blind. There are also service animals that assist persons with other types of disabilities in their day-to-day activities such as:

- Alerting individuals who are deaf or hard of hearing to sounds.
- Pulling wheelchairs or carrying and picking up things for individuals with physical disabilities.
- Assist individuals with physical disabilities keep their balance.



Service Animals



*Are there state laws that protect individuals who use service animals?*

Yes. In addition to the Americans with Disabilities Act, which protects individuals who use any service animal, Illinois has two state laws that protect individuals who use service dogs -- the Guide Dog Access Act and the White Cane Law. Both laws protect service dogs in training as well.

***Guide Dog Access Act***, 720 ILCS 630 *et seq.*

The *Guide Dog Access Act* guarantees the right of entry to and use of any public accommodation to individuals who are blind, deaf or have any other disability when accompanied by a service dog. The Act also protects individuals who are accompanied by service dogs in training but those individuals may be asked to provide training credentials. A violation of this act is a Class C misdemeanor.

***White Cane Law***, 775 ILCS 30 *et seq.*

The *White Cane Law* guarantees to people who are blind, deaf, or otherwise physically disabled, the full and equal use of the streets, highways, sidewalks, public buildings and other public facilities including facilities used by the courts. The White Cane Law also ensures that individuals with physical disabilities have the right to be accompanied by a service dog or a service dog in training, in all places of public accommodation. A violation of this section is a Class A misdemeanor.





# Court Disability Coordinators

### *Who are Court Disability Coordinators?*

Court Disability Coordinators (CDCs) are persons who have been appointed by the Chief Judge of their Judicial Circuit. They are professionals who currently have various duties and specific expertise in some aspect of the judicial process.

### *How can CDCs assist the court?*

Court Disability Coordinators have access to a vast array of people and agencies that can help ensure program accessibility for people with disabilities in a judicial setting. They have been trained regarding appropriate terminology, etiquette and acceptable practices for addressing and interacting with people with disabilities.

CDCs are aware of the key statutes governing access to the judicial system for people with disabilities. CDCs have been given guidelines for determining who is a protected person with a disability, what constitutes program accessibility and how it can be achieved.

Court Disability  
Coordinators

## Role of CDCs

### *How can CDCs assist people with disabilities?*

Court Disability Coordinators — based on their knowledge of the community, its citizens, and situations either they or other court personnel encounter in their professional capacities — will recommend programs or activities that promote the inclusion of people with disabilities in the judicial setting. Recommendations may include purchasing a TTY and training staff to use it, creating a pamphlet on access to the court and its services, or ensuring the provision of signs to indicate accessible entrances.

Court Disability Coordinators can greet people with disabilities and make arrangements to ensure that their needs are met. They can provide information regarding the court in general, and program accessibility in particular, to ensure equal participation in a court proceeding.

The Office of Illinois Attorney General Lisa Madigan will provide technical assistance to CDCs upon request.

# Opening the Bench and Bar to People With Disabilities

## 2005 Resources

### State Agencies

### State Agencies

#### **Office of the Attorney General**

#### **Disability Rights Bureau**

100 West Randolph Street

Chicago, IL 60601

(312) 814-3384 (Voice)

(312) 814-3374 (TTY)

#### **Office of the Attorney General**

#### **Disability Rights Bureau**

500 South Second Street

Springfield, IL 62706

(217) 524-2660 (Voice)

(217) 785-2771 (TTY)

<http://www.illinoisattorneygeneral.gov>

Enforces the *Environmental Barriers Act* and the *Illinois Accessibility Code* to ensure physical access to facilities in the State of Illinois for people with disabilities. The Bureau also provides information and referral to the citizens of the State of Illinois on issues related to disability.

**Office of the Attorney General  
Civil Rights Division**

100 West Randolph Street  
Chicago, IL 60601  
(312) 814-3373 (Voice)  
(312) 814-3374 (TTY)  
<http://www.illinoisattorneygeneral.gov>

Accepts discrimination complaints alleging violations of civil rights statutes.

**Illinois Department of Human Services  
Office of Rehabilitation Services**

400 W. Lawrence  
Springfield, IL 62794  
(217) 782-2094 (Voice)  
(217) 782-5734 (TTY)  
<http://www.dhs.state.il.us>

Assists court personnel in identifying local services and vendors such as sign language interpreters or CART services. The office can aid the courts by providing accessibility site surveys and disability awareness training.

**Illinois Deaf and Hard of Hearing Commission**

1630 South Sixth Street  
Springfield, Illinois 62703  
(217) 557-4495 (Voice / TTY)  
<http://www.idhhc.state.il.us>

Serves as a conduit of information about hearing loss to the State of Illinois. Also provides training, workshops and interpreter listings.

**Illinois Historic Preservation Agency**

Old State Capitol Building  
Springfield, IL 62702  
(217) 785-4512  
(217) 524-7128 (TTY)  
<http://www.illinoishistory.gov>

Provides assistance and information by an architect regarding the application of technical accessibility standards to historic buildings.

**Illinois Capital Development Board**

William G. Stratton Building  
3rd Floor  
Springfield, IL 62706  
(217) 782-8530 (Voice)  
(217) 524-4449 (TTY)  
<http://www.cdb.state.il.us>

Provides interpretation of the Illinois Accessibility Code.

**Illinois Guardianship and Advocacy Commission**

160 North LaSalle, Suite 500  
Chicago, IL 60601  
(312) 793-5900 (Voice)  
(866) 333-3362 (TTY)

421 East Capitol Avenue, Suite 205  
Springfield, IL 62701  
(217) 785-1540 (Voice)  
(866) 333-3362 (TTY)  
<http://gac.state.il.us>

May assist the court in proceedings for the appointment of a guardian and may assist in the supervision of persons and agencies which have been appointed as guardians. It may serve as a guardian of last resort for eligible persons and may petition for appointment of any other person as guardian under certain conditions.

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**Cook County**

Cook County

**Chicago Police Department  
Bureau of Staff Services  
Preventive Programs Division  
Disabled Services**

3510 South Michigan Avenue  
4007 SW Unit 132  
Chicago, IL 60653  
(312) 745-5823 (Voice)  
(312) 745-6885 (TTY)  
<http://egov.cityofchicago.org>

Provides reasonable accommodations to persons with disabilities who seek assistance from the Chicago Police Department.

**Cook County State's Attorney's Office  
Victim-Witness Assistance Unit  
Disabled Victim Specialist**

2650 South California Avenue  
Chicago, IL 60608  
(773) 869-7200 (Voice)  
(773) 869-7494 (TTY)  
<http://www.statesattorney.org>

Acts as liaison between victim and the prosecutor. Also provides various accommodations and services, including but not limited to, transportation to and from court, answers to questions the victim may have about their rights, and pairing victims with various organizations that may be able to assist them.

**Mayor's Office for People with Disabilities**

City Hall, Room 1111  
121 North LaSalle Street  
Chicago, IL 60602  
(312) 744-7209 (Voice)  
(312) 744-4964 (TTY)

2102 West Ogden Avenue  
Chicago, IL 60612  
(312) 744-6673 (Voice)  
(312) 744-5711 (TTY)  
<http://egov.cityofchicago.org>

Advances the independence of people with disabilities through systemic change. Offers employment services, independent living services, assistive technology, training, architectural services, housing assistance, youth services, disability resources, and information and referral services.

## **Illinois Associations & Organizations**

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### **Communication/Hearing**

#### **Chicago Hearing Society**

2001 North Clybourn Avenue  
Chicago, IL 60604

(773) 248-9121 (Voice)

(773) 248-9176 (TTY)

<http://www.chicagohearingsociety.org>

Offers a variety of services that include case management, peer counseling, advocacy, and information and referrals to all deaf or hard of hearing persons.

#### **C.A.I.R.S.**

36 South Wabash Avenue  
Suite 714

Chicago, IL 60603

(312) 895-4300 (Voice)

(312) 895-4320 (TTY)

<http://www.cairs.net>

Provides oral/sign language interpreting services for legal settings. Also provides Interpreter Skills Assessment Screening (ISAS) to determine for which situations an interpreter is qualified to interpret.

#### **Jacksonville Community Center for the Deaf**

907 West Superior

Jacksonville, IL 62650

(800) 468-9211 (Voice & TTY)

(217) 245-0429 (Voice & TTY)

<http://www.jccd.us>

Provides interpreter referral services.

Communication/  
Hearing  
Organizations

## **Cognitive**

### **The ARC (Association of Retarded Citizens)**

#### **The ARC of Illinois**

18207 - A Dixie Highway  
Homewood, IL 60430  
(708) 206-1930 (Voice)  
(708) 206-0450 (TTY)  
<http://www.thearcofil.org>

Acts on behalf of individuals with developmental disabilities.

### **Illinois Council on Developmental Disabilities**

State of Illinois Center  
100 West Randolph 10-601  
Chicago, IL 60601  
(312) 814-2080 (Voice)  
(312) 814-7151 (TTY)  
<http://www.state.il.us/agency/icdd>

Provides services for people with disabilities to assist them in becoming and remaining independent.

## **Mental Health**

### **Mental Health Association of Greater Chicago**

125 S. Clark, Suite 1820  
Chicago, IL 60603  
(312) 781-7780  
<http://www.mentalhealthchicago.org>

Acts as the citizens' voice for people with mental disabilities in Lake, Cook and DuPage counties. It is a nonprofit organization that provides education, information, referrals and advocacy for people with disabilities.

### **Mental Health Association of Illinois**

188 W. Randolph Street, Suite 2225  
Chicago, IL 60601  
(312) 368-9070  
<http://www.mhai.org>

Works to promote mental health, prevent mental illnesses, and improve the care and treatment of persons suffering from mental or



emotional problems. As an affiliate of the national Mental Health Association, the association is the only statewide, nongovernmental advocacy organization concerned with the entire spectrum of mental and emotional disorders.

## **Vision**

### **Chicago Lighthouse for the Blind**

1850 West Roosevelt Road  
Chicago, IL 60608  
(312) 666-1331 (Voice)  
(312) 666-8874 (TTY)  
<http://www.thechicagolighthouse.org>

Provide various job related training programs and rehabilitation services for children, youth and adults whose primary disability is blindness or visual impairment.

## **Education**

### **Family Resource Center on Disabilities**

20 East Jackson Boulevard, Room 900  
Chicago, IL 60604  
(312) 939-3513 (Voice) or (800) 952-4199  
(312) 939-3519 (TTY)  
<http://www.frcd.org>

Conducts free weekly training workshops on the rights of a child with a disability to special education. Publications include a newsletter, pamphlets, fact sheets and "how to" manuals.

### **Family Matters**

2502 South Veterans Drive  
Effingham, IL 62401  
(217) 347-5428 (Voice/TTY)  
(866) 436-7842 (Toll Free) (Voice/TTY)  
<http://www.fmptic.org>

Provides trainings for parents and professionals throughout 94 counties in Illinois on topics related to special education.

Vision  
Organizations

Education  
Organizations

## **Legal/Public Policy**

### **Equip for Equality**

20 N. Michigan Avenue, Suite 300  
Chicago, Illinois 60602  
(312) 341-0022 Se Habla Espanol ASL  
(800) 537-2632 (Voice)  
(800) 610-2779 (TTY)  
<http://www.equipforequality.org>

The mission of Equip for Equality is to advance the human and civil rights of children and adults with physical and mental disabilities in Illinois. It is the only statewide, cross-disability, comprehensive advocacy organization.

### **Council for Disability Rights**

30 East Adams Street, #1130  
Chicago, IL 60603  
(312) 444-9484 (Voice)  
(312) 444-1967 (TTY)  
<http://www.disabilityrights.org/>

Promotes public policy and legislation, public awareness through education, provides information and referral services.

## **ILLINOIS - Centers for Independent Living**

CILs provide comprehensive information regarding services available to help people with disabilities live independently, such as accessible housing, transportation, employment opportunities and personal assistants. (Alphabetized by City)

### **Impact Center**

2735 East Broadway  
Alton, IL 62002-1859  
(618) 462-1411 (Voice/TTY)  
<http://www.impactcil.org>

**Living Independence for Everyone  
Center for Independent Living**

2201 Eastland Drive, Suite 1  
Bloomington, IL 61704  
(309) 663-5433 (Voice/TTY)  
(309) 663-7024 (Fax)  
<http://www.lifecil.org>

**Southern Illinois Center for Independent Living**

Southern Illinois CIL  
P.O. Box 627, 100 N. Glenview Drive  
Carbondale, IL 62903  
Phone: 618-457-3318 (Phone)  
Fax: 618-549-0132 (Fax)  
TTY: 618-457-3318 (TTY)  
<http://www.ilusa.com>

**Access Living of Metro Chicago**

614 West Roosevelt Road  
Chicago, IL 60607  
(312) 253-7000 (Voice) or  
(312) 253-7002 (TTY)  
(312) 253-7001 (Fax)  
<http://www.community2000online.org>

**Fox River Valley Center for Independent Living**

730-B West Chicago  
Elgin, IL 60123  
(708) 695-5815 (Voice/TTY)  
<http://www.frvcil.com>

**Will-Grundy Center for Independent Living**

2415 West Jefferson Street  
Joliet, IL 60435  
(815) 729-0162 (Voice) or  
(815) 729-2085 (TTY)  
<http://www.will-grundycil.org>

**OPTIONS Center for Independent Living**

22 Heritage Drive, Suite 107

Bourbonnais, IL 60914

815-936-0100 (Voice)

815-936-0132 (TTY)

<http://www.optionscil.com>

**Opportunity for Access**

3300 Broadway, Suite 5

Mt. Vernon, IL 62864

(618) 244-9212 (Voice)

(618) 224-9575 (TTY)

<http://www.ofacil.org>

**Progress Center for Independent Living**

7521 Madison Street

Forest Park, IL 60130

(708) 209-1500 (Voice)

(708) 209-1826 (TTY)

<http://www.progresscil.org>

**Central Illinois Center for Independent Living**

614 West Glen

Peoria, IL 61614

(309) 682-3500 (Voice) or

(309) 682-3567 (TTY)

<http://www.cicil.org>

**Illinois/Iowa Independent Living Center**

3708 11th St.

P.O. Box 6156

Rock Island, IL 61204-6156

(319) 324-1460 (Voice/TTY)

<http://www.iicil.com/>

**RAMP**

202 Market Street

Rockford, IL 61107

(815) 968-7467 (Voice/TTY)

<http://www.rampcil.org>

**Springfield Center for Independent Living**

330 S. Grand Avenue West  
Springfield, IL 62704  
(217) 523-2587 (Voice/TTY)  
<http://www.scil.org>

**Northwestern Illinois Center for Independent Living**

229 1st Avenue, Suite 2  
Rock Falls, IL 61071  
(815) 625-7860 (Voice) or  
(815) 625-7863 (TTY)

**P.A.C.E., Inc.**

1317 East Florida  
Urbana, IL 61801  
(217) 344-5433 (Voice) or  
(217) 344-5024 (TTY)  
<http://helpbook.prairienet.org>

**DuPage Center for Independent Living**

739 Roosevelt Road  
Building 8, Suite 109  
Glen Ellyn, Illinois 60137  
(630) 469-2300 (Voice/TTY)  
<http://www.glen-ellyn.com>

**West Central Illinois, CIL**

Franklin Square, 4th and State  
406 North 24th  
Virsh Building, Suite 3  
Quincy, IL 62301  
(217) 223-0400 (Voice)  
(217) 223-0475 (TTY)  
<http://www.quincynet.com>

**Soyland Access to Independent Living (SAIL)**

2545 Millikin Parkway, Suite 1305

Decatur, IL 62526

(217) 876-8888 (Voice/TTY)

<http://www.decatursail.com>

**Lake County Center for Independent Living**

377 North Seymour Avenue

Mundelein, IL 60060

(708) 949-4440 (Voice/TTY)

(708) 949-4445 (Voice/TTY)

<http://www.lccil.org>

**Assistive Technology****University of Illinois at Chicago****Assistive Technology Unit**

University of Illinois at Chicago

1640 West Roosevelt Road

Chicago, IL 60608

(312) 413-1555 (Voice)

(312) 413-1554 (TTY)

<http://www.uic.edu>

The University of Illinois at Chicago University Affiliated Program Assistive Technology Unit offers a variety of technology services. Specialties include home accessibility, work site, communication, computers, wheelchairs and controls.

**Northern Illinois Center for Adaptive Technology**

3615 Louisiana Road

Rockford, IL 61108

(815) 229-2163

<http://nicat.ataccess.org>

Northern Illinois Center for Adaptive Technology specializes in computer accessibility and environmental controls. It offers a demonstration center as well as assessment and recommendation services.

**Illinois Assistive Technology Project**

528 South Fifth Street, Suite 100

Springfield, IL 62701

(217) 525-7985 (Voice/TTY)

<http://www.iltech.org>

Provides information, funding options, manufacturers and vendors for different types of assistive equipment and services available in the State of Illinois. Provides training on the various products and choices available for people with disabilities.

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**Federal Agencies**

Federal Agencies

**U.S. Department of Justice, Civil Rights Division**

Office of the Americans with Disabilities Act

P.O. Box 66118

Washington, D.C. 20035-6118

(202) 514-0301 (Voice)

(202) 514-0383 (TTY)

<http://www.usdoj.gov/crt>

Enforces Titles II and III of the Americans with Disabilities Act. Also provides technical assistance on Titles II and III.

**U.S. Equal Employment Opportunity Commission**

1801 L Street, N.W.

Washington, D.C. 20507

(800) 669-EEOC (Voice)

(800) 800-3302 (TTY)

<http://www.eeoc.gov>

Enforces Title I of the Americans with Disabilities Act.

**Federal Communication Commission**

1919 M Street N.W.

Washington, D.C. 20554

(202) 418-1500 (Voice)

(202) 418-2224 (TTY)

<http://www.fcc.gov>

Enforces Title IV of the Americans with Disabilities Act.

## **Federal Technical Assistance Organizations**

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### **Great Lakes ADA and Accessible IT Center Assistance Center**

1640 West Roosevelt Road (M/C 627)  
Chicago, IL 60608  
(312) 413-1407 (Voice/TTY)  
(312) 413-0453 (TTY)  
(800) 949-4232 (Voice/TTY)  
<http://www.adagreatlakes.org>

Provides technical assistance to ensure compliance with the Americans with Disabilities Act.

### **Architectural and Transportation Barriers Compliance Board (Access Board)**

1331 F Street, NW, Suite 1000  
Washington, D.C. 20004-1111  
(202) 272-0080 (Voice)  
(202) 2720082 (TTY)  
<http://www.access-board.gov>

Authors accessibility guidelines and provides interpretations of those guidelines.

### **Clearinghouse on Disability Information, Office of Special Education and Rehabilitation Services U.S. Department of Education**

Switzer Building, Room 3132  
Washington, D.C. 20202-2524  
(202) 205-8241 (Voice/TTY)  
<http://www.ed.gov>

Provides leadership in achieving full integration and participation in society for people with disabilities.



### **Internal Revenue Service (check with your local office)**

Provides tax credits for alterations, auxiliary aids and services.

### **Americans With Disabilities Hotline**

#### **Job Accommodations Hotline**

P. O. Box 6080

Morgantown, West Virginia 26506-6080

(800) 232-9675 (Voice/TTY)

<http://www.jan.wvu.edu/>

Provides information and referrals for accommodating individuals with a disability in the workplace.

### **Government Benefits**

Your Benefits Connection

<http://www.govbenefits.gov>

Provides a “one-stop shop” of government benefits.

## **State Courts**

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### **ADA Clearinghouse and Resource Center**

#### **National Center for State Courts**

1331 17th Street, Suite 402

Denver, CO 80202

(303) 293-3063

Provides general information on the application of the Americans with Disabilities Act to state court systems. Aids courts in making court services and programs more accessible to people with disabilities on a contractual basis.

Publications Available: The Americans with Disabilities Act Title II Self-Evaluation, Williamsburg, Virginia, 1992 Planning and Design Guide for Courts, Williamsburg, Virginia, 1991 Trial Court Performance Standards, Williamsburg, Virginia, 1990.

State Court  
Organizations

## Associations

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### Communication/ Hearing Associations

#### **Communication/Hearing**

##### **American Speech-Language-Hearing Association**

10801 Rockville Pike  
Rockville, MD 20852  
Consumer Help (301) 571-0482 or  
(800) 638-8255 (Voice)  
(301) 897-0157 (TTY)  
<http://www.asha.org/default.htm>

Provides information and technical assistance on overcoming communication barriers. Helps with communication problems, interpreters, assistive devices, hearing aids and job modifications.

##### **National Association of the Deaf**

814 Thayer Avenue  
Silver Spring, MD 20910-4500  
(301) 587-1788 (Voice)  
(301) 587-1789 (TTY)  
<http://www.nad.org>

Offers basic information and referral on deafness and accommodations for people who are deaf.

### Visual Organizations

#### **Visual**

##### **National Federation of the Blind**

1800 Johnson Street  
Baltimore, MD 21230  
(410) 659-9314  
<http://www.nfb.org/>

Offers the world's largest evaluation and demonstration center of adaptive technology used by the blind. Provides evaluations and demonstrations of adaptive technology used by people who are blind.

## **Cognitive**

### **Autism Society of America**

8601 Georgia Avenue, Suite 503  
Silver Spring, MD 20910  
(301) 657-0881  
<http://www.autism-society.org>

Promotes awareness of and provides information about autism.  
Lobbies at the federal level for programs and research into the subject of autism.

## **Other Disability Organizations**

### **American Bar Association**

#### **Commission on Mental and Physical Disability Law**

740 15th Street, N.W.  
Washington, D.C. 20005  
(202) 662-1570 (Voice) or  
(202) 662-1012 (TTY)  
(202) 662-1032 (Fax)  
<http://www.abanet.org/disability/aboutcom1.html>

Provides a number of publications on disability law including the Mental and Physical Disability Law Reporter.

### **National Organization on Disability**

910 16th Street, N.W., Room 600  
Washington, D.C. 20006  
(202) 293-5960 (Voice) or  
(202) 293-5968 (TTY)  
<http://www.nod.org>

Works with cities and towns across the nation to help them provide more opportunities for people with disabilities. Also provides information and referral services for individuals.

**Industry-Labor Council  
National Center for Disability Services**

210 I.U. Willets Road  
Albertson, NY 11507-1599  
(516) 747-5400 (Voice) or  
(516) 747-5355 (TTY)  
<http://www.ncds.org>

Provides informational and technical assistance services to organizations interested in employing and accommodating individuals with disabilities. Materials and individualized consultations are provided on all kinds of topics/issues impacting a broad range of disabilities.

**Rehabdata  
National Rehabilitation Information Center**

8455 Colesville Road, Suite 935  
Silver Spring, MD 20910-3319  
(800) 346-2742  
(301) 588-9284 (Voice/TTY)  
<http://www.naric.com/contactus>

Provides interactive information to the disability and rehabilitation community, NARIC's Web site continues this tradition by putting the information into the hands of the users through online publications, searchable databases, and timely reference and referral data.

**American Association of People with Disabilities (AAPD)**

1629 K Street NW, Suite 503  
Washington, DC 20006  
202-457-0046 (V/TTY)  
800-840-8844 (Toll Free V/TTY)  
[aapd@ol.com](mailto:aapd@ol.com)  
[www.aapd-dc.org](http://www.aapd-dc.org)

The largest national nonprofit cross-disability member organization in the United States, dedicated to ensuring economic self-sufficiency and political empowerment for the more than 56 million Americans with disabilities. AAPD works in coalition with other disability organizations for the full implementation and enforcement of disability nondiscrimination laws, particularly the Americans with Disabilities Act (ADA) of 1990 and the Rehabilitation Act of 1973.

## **ADA and Disability-Related World Wide Web Sites**

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### **Courtroom 21**

National Conference for State Courts  
[www.courtroom21.net](http://www.courtroom21.net)

### **Courtroom Technology Laboratory**

National Conference for State Courts  
<http://ctl.ncsc.dni.us>

### **Government Benefits**

Your Benefits Connection  
<http://www.govbenefits.gov/>

### **U.S. Department of Justice ADA Home Page**

[www.usdoj.gov](http://www.usdoj.gov)

### **Assistive Technology Links**

[www.alpha-one.org](http://www.alpha-one.org)

### **Illinois Attorney General's Office**

[www.illinoisattorneygeneral.gov](http://www.illinoisattorneygeneral.gov)

### **Equip For Equality**

[www.equipforequality.org](http://www.equipforequality.org)

### **Access Board**

<http://www.access-board.gov>

# Opening the Bench and Bar to People With Disabilities

## Sample Juror Summonses and Form Letters

This sampling of summonses and form letters is included to illustrate how some jurisdictions have addressed the need to ascertain whether a person with a disability needs a reasonable accommodation.

Also included is the Code of Ethics of the Registry of Interpreters for the Deaf, Inc., which addresses issues such as accuracy in translation and questions of confidentiality.

**Opening the Bench and Bar to  
People With Disabilities**

**Supreme Court of the  
State of Illinois**

**Administrative Order  
on Courtroom Facilities**

**M.R. 8765**

# Opening the Bench and Bar to People With Disabilities

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800-610-2779 (Fax)  
312-341-0295 (Fax)  
[kevin@equipforequality.org](mailto:kevin@equipforequality.org)

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Appellate Court  
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PO Box 19206  
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217-557-5490 (Voice)  
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# Opening the Bench and Bar to People With Disabilities

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